

Message Text

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ACTION EUR-12

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E.O. 11652:N/A
TAGS: ETEL, EFIN, PGOV, CA
SUBJECT: BORDER BROADCASTING AND C-58

REF: STATE 030023

1. BILL C-58'S EFFECT ON RADIO STATION WQDY, CALAIS, MAINE (REFTEL) WAS DISCUSSED WITH PHILIP SLYFIELD, DIRECTOR OF THE UNITED STATES GENERAL RELATIONS DIVISION AT EXTAFF, FEBRUARY 14.

2. SLYFIELD POINTED OUT THAT HE SAW TWO DIFFICULT PROBLEMS WHICH WOULD MOST LIKELY PREVENT ANY EXCEPTION TO C-58'S PROVISIONS OR ANY INTERIM RELIEF FOR WQDY. FIRST, IT WAS HIS UNDERSTANDING THAT C-58 AND THE INCOME TAX ACT IT AMENDED WOULD NOT ALLOW EXCEPTIONS WITHOUT AMENDMENT OF THE LEGISLATION. SECOND, IT WOULD BE ALMOST IMPOSSIBLE POLITICALLY FOR THE GOVERNMENT TO PERMIT ONE EXCEPTION TO C-58'S PROVISIONS WITHOUT OPENING THE DOOR TO NUMEROUS REQUESTS FOR SIMILAR EXCEPTIONS. IF THIS HAPPENED, ANY CHANCE OF C-58 ACHIEVING ITS DESIRED RESULT, THAT IS THE TRANSFER OF ADVERTISING REVENUES BACK TO CANADA, WOULD BE CALLED INTO QUESTION.

3. WE POINTED OUT THAT WQDY'S SITUATION WAS ATYPICAL AND
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THAT THERE WAS, IN FACT, NO CHANCE OF TRANSFERRING ITS CANADIAN ADVERTISING REVENUES TO A CANADIAN STATION SINCE NO SUCH STATION YET EXISTS. SLYFIELD AGREED TO HAVE A REVIEW OF C-58 MADE. HE SAID HE WOULD INFORM US IF IT APPEARED THERE WAS ANY WAY IN WHICH AN EXCEPTION TO ITS PROVISIONS OR SOME INTERIM ARRANGEMENT MIGHT BE WORKED OUT TO ASSIST WQDY, BUT HE LEFT LITTLE DOUBT THAT HE THOUGHT

THE EXERCISE WOULD BE FRUITLESS.

4. COMMENT: AS SLYFIELD POINTED OUT TO US, THERE IS AS YET NO HARD DATA ON WHICH TO BASE CONCLUSIONS ABOUT THE EFFECTIVENESS OF BILL C-58. UNTIL THE CANADIAN STUDY OF THE EFFECT OF C-58 IS COMPLETED AND THE RESULTS ANALYZED, WE DOUBT THERE IS ANY POSSIBILITY OF THE GOC MAKING CHANGES IN OR EXCEPTIONS TO C-58. NONETHELESS, WE BELIEVE IT IS USEFUL TO PUT BEFORE THE CANADIANS INFORMATION WE RECEIVE ON UNFORESEEN EFFECTS C-58'S PROVISIONS MAY BE HAVING, SUCH AS THE POSSIBLE LOSS OF SERVICE TO CANADIAN CITIZENS IF WQDY WERE TO CEASE OPERATIONS, SO THAT THEY WILL BE ABLE TO FACTOR SUCH INFORMATION INTO THEIR REVIEW OF THE LEGISLATION. ENDERS

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